

(2026) 03 TP CK 1286
In the Tripura High Court
Case No : Writ Petition (C)No. 522 Of 2025

Dipika Chakma

APPELLANT

Vs

State Of Tripura & Ors

RESPONDENT

Date of Decision : 12-03-2026

Acts Referred:

Citation : (2026) 03 TP CK 1286

Hon'ble Judges : S. Datta Purkayastha, J

Bench : Single Bench

Advocate : P.Roy Barman, Dipjyoti Paul, Dr. Mihir Lal Roy, Debalay Bhattacharya, Dipankar Sarma, Dulal Ch.Saha, Soumyadeep Saha, A. Chakraborty

Final Decision : Disposed Of

Judgement

S. Datta Purkayastha, J

[1] Heard Ld. Counsel of both sides.

[2] The case of the petitioner, in brief, is that she initially joined as Anganwadi Worker on 05.07.1983 and worked there in said post till 25.11.2012 and thereafter, on promotion, she joined to the post of Supervisor on 26.11.2012, under Social Welfare and Social Education Department. Thereafter, on attaining the age of superannuation at 60 years, the petitioner went on retirement on 31.08.2024.

[3] On her retirement, the Office of Accountant General (AG) issued the PPO allowing the petitioner her pension covering the period from 26.11.2012(date of joining as Supervisor) till upto 31.08.2024 (date of retirement) and therefore, her previous service as Anganwadi worker was not counted.

[4] The first grievance of the petitioner is that as per the Memorandum issued by Social Welfare and Social Education Department on 02.11.2017(Annexure-6), 50% of the service rendered by the petitioner as Anganwadi Worker ought to

have been counted. Even in this regard several judgments were passed by this Court taking note of which said memorandum was issued by the state.

[5] Another grievance of the petitioner is that on the basis of the observation made by the Office of the Accountant General, the Sub-Treasury Officer, Amarpur issued a letter dated 04.04.2025 (Annexure-9) to the Branch Manager of Punjab National Bank, Natunbazar, showing that an amount of Rs.1,57,500/- was required to be recovered from the petitioner on the ground of excess payment of DCRG which, according to the petitioner, is illegal.

[6] According to Ld. Counsel of the petitioner as well as Ld. Sr. Counsel, Mr. Debalay Bhattacharya representing the Office of the Accountant General, while disbursing DCRG, the Department made the calculation in their own way determining the amount of DCRG to be Rs.3,97,500/- in place of Rs.2,40,000/- and therefore, according to the Office of Accountant General, excess amount of Rs.1,57,500/- was disbursed to the petitioner which was found recoverable.

[7] Ld. Counsel of the petitioner, Dr. M. L. Roy, led by Ld. Sr. Counsel, Mr. P. Roy Barman submits that if 50% of the service of the petitioner rendered as Anganwadi worker is taken into consideration, automatically the amount of DCRG will be changed and accordingly, said amount of Rs.1,57,500/- will no longer remain as due from the petitioner.

[8] Ld. Counsel of the respondents submits that necessary order may be passed keeping in view the previous decisions of this Court passed in different writ petitions as well as the Memorandum dated 02.11.2017, issued by Department of Education (Social Welfare and Social Education), Govt. of Tripura.

[9] Court has taken into consideration the submissions of both sides and has gone through the relevant documents placed in the record.

[10] As it appears before the Court that while issuing the PPO in favour of the petitioner, 50% of period of service of the petitioner rendered as Anganwadi worker was not taken into account by the office of the Accountant General(A&E), Tripura, Agartala which, as per the said Memorandum dated 02.11.2017 is required to be added in calculating her total period of service.

[11] Already it is settled by a catena of decisions of this Court that while calculating the post retiral benefits, 50% of the period of service rendered by an Anganwadi worker shall have to be taken into account. A recent judgment passed by this Court in case of Manju Sarma Bhattacharjee vs. state of Tripura and Ors.; WP(C)119 of 2025 dated 12.01.2026 is also given a reference. Relevant paragraph nos. 12, 13 and 14 of the said Judgment are extracted hereunder:

“[12] In view of above position, the issue raised by the respondents cannot be taken into consideration as the matter of addition of 50% past service of the petitioner as Anganwadi Worker has already been decided by this Court in the above said earlier decision, and that has reached the finality and has become binding on the State.

[13] As it appears, already the Govt. has extended the benefit of regular promotion to all the promotees who were promoted on ad hoc basis as per promotional policy of 2021, and it has been directed by the State to all the departments to extend all promotional benefits, including leave encashment to the retired employees or to their legal representatives where those employees are dead meanwhile. Therefore, the issue raised by the respondents that the promotion of the petitioner was an ad hoc promotion, cannot be accepted.

[14] In view of above, the writ petition is allowed. The State respondent Nos. 1 to 5 are directed to consider the case of the present petitioner in the light of the decision of this Court rendered in the case of Smt. Sandhya Banik (supra), and also the notification issued by the State Govt. on 1 st December, 2025 as extracted above, and to take necessary steps for release of post-retiral benefits to the petitioner as per her entitlement in accordance with rules. The entire exercise will be completed within three months from receipt of a copy of this order.”

[12] Considering all these aspects, writ petition is allowed.

[13] Respondents are directed to regularize the matter of post retiral benefits of the petitioner by taking into account the 50% of her service rendered as Anganwadi worker and to re-determine all the post retiral benefits accordingly within 2 months of receipt of copy of this judgment.

[14] No recovery shall be made further from the petitioner by any of the respondents till the matter is finalized by the respondent nos. 5 and 6.

[15] On such finalization, if it is found that wrongly certain amount has already been recovered from the petitioner, in that case, the amount so recovered will be returned to the petitioner within 4 weeks thereafter. Arrear, if any, shall also be paid within 2 months of receipt of copy of this judgment along with interest at the rate of 7% per annum thereupon from the respective dates when those benefits fell due.

[16] Consequently, the letter dated 04.04.2025 issued by the Sub-Treasury Officer, Amarpur, Gomati District, Government of Tripura(Annexure-9) is quashed.

[17] In view of the above, the writ petition is disposed of.

Interim Application(s), if any, shall also stand disposed of.